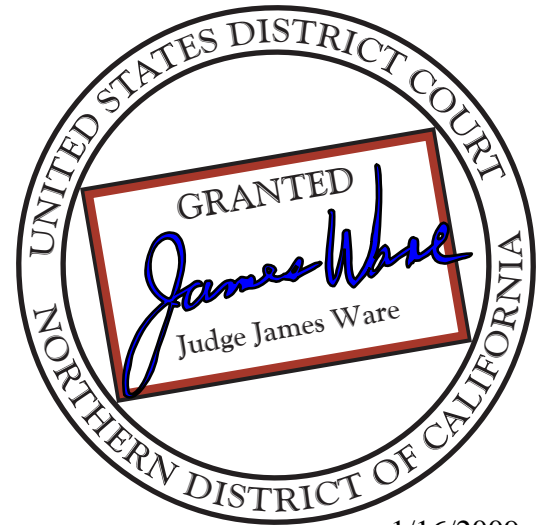


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1/16/2009

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

AXL MUSICAL INSTRUMENTS CO., LTD., a
California Corporation,

Plaintiff,

v.

VHT AMPLIFICATION, INC., a California
Corporation,

Defendant.

AND RELATED COUNTERCLAIMS

CASE NO. C08-03947 JW

**JOINT STIPULATION OF
DISMISSAL WITH PREJUDICE
PURSUANT TO FED. R. CIV. P.
41**

[PROPOSED] ORDER

1 IT IS HEREBY STIPULATED by and between Plaintiff and
2 Counterdefendant AXL MUSICAL INSTRUMENTS CO., LTD. and Defendant
3 and Counterclaimant VHT AMPLIFICATION, INC., through their designated
4 counsel, that the above-captioned action be and hereby is dismissed in its entirety,
5 with prejudice, pursuant to Fed. R. Civ. P. 41(a)(1). Each party to bear its own
6 costs and attorneys' fees.

7
8 DATED: January 16, 2009

MacPHERSON KWOK CHEN & HEID LLP

9
10 By /s/ Clark S. Stone

11 CLARK S. STONE

12 Attorneys for Plaintiff and Counterdefendant
13 AXL MUSICAL INSTRUMENTS CO., LTD.

14 DATED: January 16, 2009

PHILLIPS ERLEWINE & GIVEN LLP

15
16 By /s/ Nicholas A. Carlin

17 NICHOLAS A. CARLIN

18 Attorneys for Defendant and Counterclaimant
19 VHT AMPLIFICATION, INC.

20 *Filer's Attestation: Pursuant to General Order No. 45,*
21 *Section X.B. regarding non-filing signatories, Clark S.*
22 *Stone hereby attests that concurrence in the filing of this*
Joint Stipulation of Dismissal with Prejudice pursuant to
Fed. R. Civ. p. 41 has been obtained from Nicholas A.
Carlin

23 IT IS SO ORDERED.

24 The Court terminates all pending deadlines, hearings and motions. The Clerk shall close this file.

25 DATED: Jan 16,, 2009

26 
HONORABLE JAMES WARE

27 United States District Judge
28